

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of November 15, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

On the basis of new grounds of rejection noted at page 11 of the Office Action, each of the claims was rejected. Claims 1, 3-8, 10-15, and 17-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,490,553 to Van Thong, *et al.* (hereinafter Van Thong) in view of U.S. Patent 6,446,041 to Reynar (hereinafter Reynar).

Although Applicants respectfully disagree with the rejections, Applicants nevertheless have amended certain claims and cancelled certain other claims so as to expedite prosecution of the present application. Applicants respectfully note, however, that neither the amendments nor cancellation of claims are intended as, and should not be interpreted as, the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

In particular, Applicants have amended independent Claims 1, 8, and 15 to further emphasize certain aspects of the invention. Applicants have cancelled dependent Claims 4, 11, and 18. The claim amendments, as discussed herein, are fully supported throughout the Specification. No new matter has been introduced by virtue of any of the claim amendments.

Certain Aspects Of Applicants' Invention

At this juncture, it may be useful to reiterate certain aspects of the Applicants' invention. One embodiment, typified by Claim 1, is a method of dynamically and automatically adjusting a speech output rate to match a speech input rate.

The method can include receiving a speech input and computing a speech input rate from the speech input. The method further can include determining whether a type of speech output to be provided at the speech output rate is text-to-speech or recorded speech output. Additionally, the method can include dynamically adjusting the speech output rate to match the speech input rate, the speech output rate being adjusted based upon the type of speech output.

Further according to the method, if the type of speech is recorded, a determination can be made as to whether alternate text is available. (See, e.g., Specification, paragraph [0014], lines 4-7.) If it is determined, according to the method, that alternate text is available, then the method can further include counting the alternate text available from a recorded output and determining an audio file length to compute a default output rate, which is used to adjust a recorded output rate to match the input speech rate. (See, e.g., Specification, paragraph [0014], lines 7-9.)

The Claims Define Over The Cited References

As already noted, independent Claims 1, 8, and 15 were rejected as being unpatentable over the combination of Van Thong in view of Reynar. Van Thong is directed to an apparatus and method for controlling the rate of playback of audio data to generated "closed captions" and "time-aligned transcriptions." (See, e.g., Van Thong, Col. 3, lines 26-29.) Reynar is directed to a system and method for providing audio playback of a multi-source document. (See, e.g., Reynar, Col. 4, lines 18-25.)

Applicants respectfully submit, however, that neither Van Thong nor Reynar, alone or in combination, teach or suggest every feature recited in Claims 1, 8, and 15, as amended. For example, neither reference determines, in the context of a type of speech that is recorded, whether alternate text is available, as expressly recited in each of the amended claims.

More fundamentally, neither Van Thong nor Reynard teaches or discloses a mechanism comparable to Applicants' for computing a default output rate if alternate text is available. Accordingly, neither reference provides a computed default output rate, computed according to Applicants' invention, so as to adjust a recorded output rate to match an input speech rate. Specifically, neither Van Thong nor Reynard teach or suggest counting alternate text available from a recorded output and determining an audio file length so to compute a default output rate, as explicitly recited in amended Claims 1, 8, and 15.

Reynard does not contemplate such a feature, and though Van Thong is cited in the Office Action as disclosing attributes for computing a default output rate, a complete reading of Van Thong reveals that Van Thong fails to suggest each of the features recited in amended Claims 1, 8, and 15. In the pertinent portion of the reference cited in the Office Action, Van Thong provides:

[T]he speech-playback rate may depend on an external synchronization source such as the text-input rate of an operator transcribing the recorded speech. In this case, input text is time marked and parsed into phonemes. This gives the typed phonetic rate. This rate is averaged like the spoken phonetic rate. This rate can then be used as the target rate input to the Speech-Playback Rate Adjustment Unit 43. With this approach, there should be a mechanism to flag certain typed words that do not directly

correspond to uttered speech, for example, speaker identifications, scene descriptions or typographical corrections. (Van Thong, Col. 12, lines 22-32.) (Emphasis supplied.)

The quoted language reveals that no determination is made by Van Thong as to whether or not alternate text is available, as expressly recited in amended Claims 1, 8, and 15. More fundamentally, Van Thong does not even consider alternate text (e.g., part of an <audio> tag in VoiceXMLTM). (See, e.g., Specification, paragraph [0014], lines 3-7.) Rather, Van Thong simply assumes a "transcription." Moreover, Van Thong does not specify the nature of the operator that provides the transcription; it possibly is one supplied manually. Even more fundamentally, in computing the default output rate, Van Thong does not even consider an audio file, let alone the explicit length of such a file. Van Thong does not, therefore, teach or suggest determining an audio file length to compute a default output rate, as expressly recited in amended Claims 1, 8, and 15.

Accordingly, even when combined, Van Thong and Reynard fail to teach or suggest every feature recited in independent Claims 1, 8, and 15, as amended. Applicants respectfully submit, therefore, that Claims 1, 8, and 15 each define over the prior art. Applicants further respectfully submit that, whereas each of the remaining claims depends from Claim 1, 8, or 15 while reciting additional features, each of the dependent claims likewise defines over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

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Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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